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SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

Date: April 28, 2005

To: Planning Commissioners

From: Karen Nall, Senior Planner

Via: John Euphrat, AICP, Long Range Planning Division Manager

Subject: TDC Program Recommended Changes

Following two study sessions held on March 10, 2005 and April 14, 2005, your commission directed staff to prepare a letter to the Board of Supervisors recommending changes to the TDC program. Attached is a letter for your review and approval.

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DRAFT

Date: April 28, 2005

To : County Board of Supervisors

From : County Planning Commission

Subject: Transfer of Development Credits Program (TDC)

The County Planning Commission held study sessions on March 10, 2005 and April 14, 2005 regarding the TDC Program. As a result of those study sessions and from concerns raised by concerned citizens, we respectfully request that your Board consider the following recommendations for the TDC Program:

1. Enact a temporary moratorium on new receiving site applications except for sites covered by existing community based plans (Nipomo) and sites currently identified as receiver sites by a planning area standard.
2. Reevaluate sending site credit determinations to more closely approach a 1 to 1 transfer ratio.
3. Revise the receiving site criteria to more closely resemble the criteria originally developed with the TDC Demonstration Report which includes the following:
 - a. Is the property able to accommodate additional development without causing a significant impact on the environment, as defined by the California Environmental Quality Act?
 - b. Is the property adjacent to or within existing urban or village are as defined by the county's urban or village reserve lines?
 - c. Is the property able to accommodate an increase in development in terms of current infrastructure including water, waste water, road capacity, schools and other public services?
 - d. Can the property absorb additional development and still be consistent with other policies of the county general plan?
 - e. Will the additional development on the property, beyond what the general plan now allows, be compatible with the character and density of the surrounding or adjacent areas?

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- f. Is the property located in an area that is undergoing a change, or is anticipated to be undergoing a change, in the land use patterns that would lead to an increase in subdivisions or new development on existing lots?
 - g. Is the property outside a natural area or sensitive resource area defined by the county's Natural Areas Plan or Land Use Element?
 - h. Are there parcels of land within the general area of the receiving site, that would be appropriate sending site(s) to protect resources listed in the sending area criteria?
 - i. Are there landowners who own property that meets the criteria for being a sending site that would be willing to sell their development potential as a sending site?
 - j. Is there a market for new homes in the area?
- 4. Investigate a requirement of sending sites to merge all underlying parcels.
 - 5. Strengthen the conservation easement language regarding allowable uses.
 - 6. Consider limiting the TDC program to retire lots only.